

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,112,514
Issued : September 5, 2000
Application No. : 09/159,634
Filed : September 24, 1998
For : Fan Noise Reduction From Turbofan Engines Using Adaptive Herschel-Quincke Tubes

SECOND SUPPLEMENTAL DECLARATION OF MARK COBURN

I, Mark Coburn provide this Declaration in support of the Petition To Accept Delayed Payment of a Maintenance Fee Under 37 C.F.R. § 1.378(b) for U.S. Patent No. 6,112,514 and in response to the Request For More Information mailed 23 January 2013 from the U.S. Patent and Trademark Office (USPTO) Office of Petitions.

I hereby declare that:

1. I am employed by Virginia Tech Intellectual Properties, Inc. ("VTIP") (assignee of the above-identified patent).
2. I have read the above-noted Request For More Information and noted that the Request states, in part, that

it is noted that the statement of Ms. Lucas which was included with the original petition pursuant to 37 C.F.R. § 1.378(b) does not expressly state that she committed an error which led to the expiration of this patent. To the contrary, M. Lucas indicates "[d]uring my employment at VTIP I made no errors that resulted in a lapsed US patent for failure to pay a maintenance fee." As such, despite the fact that Ms. Lucas concedes that she made the erroneous entry of "Paid 8/9/06," her statement of facts appears to

contradict the assertion that it was this entry which resulted in the failure to submit the 7 ½ - year maintenance fee which resulted in the expiration of this patent.

The Request goes on to afford one month for providing a declaration addressing this contradiction.

3. A Supplemental Declaration of Debra Lucas accompanies this Second Supplemental Declaration and explains that

My earlier statement was intended to mean that while I was employed at VTIP (from November 2002 to June 2007) I was not aware that I had made an error that resulted in a failure to pay a maintenance fee. After review of the above Request, I am aware that my erroneous entry of "Paid 8/9/06" led to Mark Coburn's failure to pay the second maintenance fee for the '514 patent. I acknowledge that I committed an error (erroneous entry of "Paid 8/9/06") which led to the expiration of the '514 patent. The error is regretted and this Supplemental Declaration is made to clear up the conflict discussed in the Request for Information. (Supplemental Declaration of Debra Lucas, paragraph 3.)

4. The above statement by Debra Lucas acknowledges that her error in entering "Paid 8/9/06" is the error that led to the failure to pay the second maintenance fee for the '514 patent. This is consistent with my understanding of the facts and this resolves the conflict mentioned in the above-noted Request For Information.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Mark Coburn
Mark Coburn

1-31-13
(date)